



U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION 2

June 27, 2019

BY ELECTRONIC MAIL

Robert Law, Ph.D.
de maximis, inc.
186 Center Street, Suite 290
Clinton, New Jersey 08809

Re: Lower Passaic River Study Area - Baseline Ecological Risk Assessment – Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study (Agreement) CERCLA Docket No. 02-2007-2009

Dear Dr. Law:

The U.S. Environmental Protection Agency (EPA) has reviewed the Cooperating Parties Group's (CPG) May 2019 Final Baseline Ecological Risk Assessment (BERA) prepared for the Lower Passaic River Study Area (LPRSA).

EPA reviewed the responses to comments and the revised report submitted by the CPG in May 2019. All comments were addressed with the exception of the comment in the attached table. EPA conditionally approves the report as long as this comment is addressed. Please finalize the report in accordance with Section X, Paragraph 44(a) of the Agreement. If there are any questions or clarifications needed, please contact me to discuss.

In consideration of Section IX, Paragraph 37(f), EPA evaluated the BERA against the decision criteria outlined in the Peer Review Handbook and concluded that a peer review of the BERA is not necessary.

In accordance with Section XXVIII of the Agreement, EPA may ask for hard copies of the final BERA for inclusion in the information repositories established for the LPRSA.

Sincerely,

A handwritten signature in dark ink, appearing to read "Diane Salkie".

Diane Salkie, Remedial Project Manager
Lower Passaic River Study Area RI/FS

Cc: Zizila, F. (EPA)

Sivak, M. (EPA)
Hyatt, B. (CPG)
Potter, W. (CPG)

No.	Page No.	EPA Comments	Response to EPA Comment	EPA Response
1	Tables 7-23 and 7-24	The TRV disclaimer, which was developed collaboratively between EPA and the New Jersey Department of Environmental Protection (NJDEP) to satisfy an NJDEP concern, was not added to BERA Tables 7-23 and 7-24, as was previously requested by EPA. Please add this language.		